HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 26810 OF 2006

Between:

Fishermen Cooperative Society,
Singabupalem Village rep. by its President.

...Petitioner

AND

The Commissioner of Fisheries Government of Andhra Pradesh at Matsya Bhavan, Shantinagar, Hyderabad and others.

....Respondents

-
-
-
-

HON'BLE SRI JUSTICE R. SUBHASH REDDY

-

WRIT PETITION NO. 26810 OF 2006

ORAL ORDER:

The Petitioner is the Fishermen Cooperative Society in Singabupalem Village of Kothagudem Mandal, Khammam District. In this Writ Petition, it seeks direction by way of Mandamus to declare the action of the respondents in not considering their representations dated 9.12.2006, 11.12.2006 and 12.12.2006, as illegal and arbitrary, and consequential directions to the respondents to permit them for fishing in Singabupalem Project Tank and Krishna Sagar Tank situated in Singa Bhoopalam and Nagineniprolu Villages respectively of Khammam District.

It is submitted by the learned counsel for the petitioner that the above said water sources are in the area of operation of the petitioner-society and the Fisheries Development Officer, Kinnerasani Project, Paloncha Mandal, has already issued demand notice dated 26.9.2006 in Proceedings No. 31/FDO/KSP/2006, fixing the lease amount to be paid by the petitioner-society for grant of fishing rights for the year 2006-2007. It is the grievance of the petitioner-society that in spite of payment of the said amount, as fixed by the Fisheries Development Officer, no further orders are being issued for exploiting the fishing. It is stated in the affidavit filed in support of the Writ Petition that in view of the fast depletion of water in the water sources referred above, any further delay in issuing orders for fishing will result great heard-ship and monetary loss to the members of the petitioner-society.

This Writ Petition was listed for hearing on 26.12.2006 and at

the instance of the learned Government Pleader appearing for the respondents, it was adjourned for obtaining instructions. When the matter is called today, even from the Government side, there is no indication of any reason for not issuing orders for fishing, in spite of payment of required fee. As much as it is stated that the respondents themselves have issued demand notice by fixing the lease amount for granting fishing rights for the year 2006-2007,and, further, their representations are pending consideration, I dispose of the Writ Petition directing the Assistant Director of Fisheries, Kadapa District, to examine the grievance of the petitioner-society and pass appropriate orders for granting fishing rights in Singa Bhoopalem Project Tank and Krishna Sagar Tank, which water sources are claimed to be in the area of operation of the petitioner-society, and communicate the same to the petitioner-society, within a period of two weeks from the date of receipt of a copy of this order.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

_____

JUSTICE R. SUBHASH REDDY

Date: 28.12.2006
KA/Msnr.

Note: CC in three days.
(BO) Msnr.